

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2007-293-T - ORDER NO. 2007-756  
OCTOBER 31, 2007

IN RE:   Petition of the Office of Regulatory Staff for a   )   ORDER REVOKING  
          Rule to Show Cause as to Why the                )   CERTIFICATES  
          Certificates of Public Convenience and           )  
          Necessity for Certain Motor Carriers Should    )  
          Not Be Revoked for Failure to File Annual       )  
          Reports   )

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of the Petition of the Office of Regulatory Staff (“ORS”) to revoke Certificates of Public Convenience and Necessity of certain motor carriers for failure to file annual reports. The ORS's Petition was filed with the Commission on August 10, 2007. As set forth in S.C. Code Ann. §58-23-10, et seq. (Supp. 2006), the Commission is responsible for the regulation of motor vehicle carriers operating for compensation and pursuant to S.C. Code Ann. §58-4-10, et seq., as enacted by 2004 S.C. Acts 175, the ORS is charged with the duty to protect the public interest.

The ORS developed a list of the motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law for failing to file annual reports with the ORS and such list was attached as Exhibit A to the ORS's Petition and entered into the record at the hearing in this matter before the Commission on October 17, 2007, as Hearing Exhibit 1. At the hearing on this matter, the ORS

additionally filed a Revised Exhibit A, entered into the record as Hearing Exhibit 2, advising the Commission that several companies listed on the original Exhibit A to its Petition had come into compliance by filing annual reports with the ORS or had their certificates already revoked for other reasons.

On August 22, 2007, the Commission issued a Notice of Hearing, setting this matter for hearing on October 17, 2007 at 2:45 p.m. A formal hearing regarding this matter was held at the Commission offices on Wednesday, October 17, 2007, at 2:45 p.m. ORS was represented by Jeffrey M. Nelson, Esquire. Jeanne Gordon, the Data Base Manager for Special Projects at the ORS, testified for the ORS.

At the hearing, Ms. Gordon presented testimony that as of the date of the filing of the ORS Petition in this matter that the fifty (50) certificated motor carriers listed in Exhibit A of the ORS petition in this matter had failed to file annual reports with ORS as required under 26 S.C. Code Ann. Regs. 103-231 (Supp. 2006). These annual reports are required under Regulation 103-231 to have been filed with the ORS by March 31, 2007. At the hearing Ms. Gordon testified that thirty (30) of the carriers listed on ORS Exhibit A had subsequently come into compliance with the annual report requirement and that an additional nine (9) had either voluntarily requested the cancellation of their certificates or had had them revoked by the Commission for other reasons prior to the hearing. The ORS therefore, through Ms. Gordon, submitted a Revised Exhibit A (Hearing Exhibit 2) listing eleven (11) carriers from Exhibit A (Hearing Exhibit 1) to the ORS Petition in this matter which remained out of compliance at the time of the hearing. Additionally, the

ORS stated in its Petition, and Ms. Gordon testified, that ORS notified the companies, via certified mail on April 18, 2007, of their failure to file the required annual reports.

The Commission finds that the Petition should be dismissed as to the carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law [S.C. Code Ann. Section 58-23-10 et.seq. (1976 and Supp. 2006)] as of the date of the hearing in this matter. The Commission is also of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by the carriers which are the continued subject of this petition (attached as an Appendix to this Order and labeled "Hearing Exhibit 2") should be revoked and cancelled for their willful violation of the Commission's Rules and Regulations and the South Carolina Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by the eleven (11) motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.
3. That this Petition be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law by submitting Annual Reports to the ORS prior to October 17, 2007.

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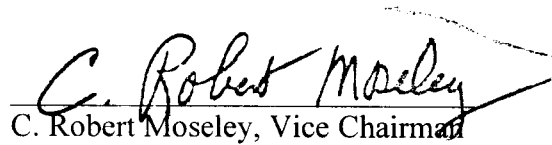
4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)

# OUT OF COMPLIANCE - RTSC DOCKET #2007-293-T

DOCKET #	ORGANIZATION NAME	ADDRESS	CITY	STATE	ZIP
1	Robert Bradley, Jr. dba A. A. Taxi Cab Co.	415 Gum St.	Bishopville	SC	29010
2	American Medical Response, Inc.	34-C Trotter Rd.	West Columbia	SC	29169
3	Charleston Funtime, Inc.	PO Box 2101	Goose Creek	SC	29445
4	Fantasy Limousine Company, Inc.	PO Box 1728	Marion	SC	29571
5	Vester W. Hendren dba Flower Town Taxi	Post Office Box 1634	Summerville	SC	29484
6	Haz-Mat Transportation and Disposal, Inc.	P.O BOX 37392	Charlotte	NC	28237
7	Mary L. Jones	617 N. Brunson St.	Florence	SC	29501
8	Justice Moving Systems, Inc.	6821 North Main Street	Columbia	SC	29203
9	Strong Man Movers, Inc.	3219 Hwy 9 E	Little River	SC	29566
10	Teresa Williamson dba T & J Taxi	1609 Elmwood Street	Hartsville	SC	29550
11	Maria Elzbieta Truszkowska	5627 Downybrook Road	Myrtle Beach	SC	29588

## Appendix

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PENGAD 800-631-6989

EXHIBIT

08/01/2007-293-T